



important to note that in this case, a submission is being filed herewith. Thus, the only requirement that is requested to be waived is the **timing** of the submission.

Accordingly, since a submission is filed herewith, the applicant hereby petitions the Patent Office to retroactively waive, in this case, the requirement that a submission be filed **with** the Request for Continued Examination. The petition fee of \$400 (37 CFR § 1.17(f)) is submitted concurrently herewith. Any deficiencies to the fee may be charged to applicant's attorney's deposit account no. 02-4800. In the event that there are any questions concerning this petition, please telephone the undersigned attorney.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: January 30, 2006

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